

Practitioner's Docket No. _____

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Shinji Kamei

For: SEMICONDUCTOR DEVICE, IC CARD UTILIZING THE SAME AND
COMMUNICATION SYSTEM (check and complete (a), (b) or (c))

the specification of which:

- (a) ☐ is attached hereto.
- (b) ☒ was filed on December 5, 1997 as Application No.
08 / 973,564 and was amended on _____ (if applicable).
- (c) ☐ was described and claimed in International Application No. _____
filed on _____ and as amended on _____
_____ (if any).

**DECLARATION ESTABLISHING PROPRIETARY INTEREST BY PERSON
SIGNING ON BEHALF OF OMITTED INVENTOR**I, Koji Takahashi

Name of declarant

c/o Rohm Co., Ltd. 21, Saiin Mizosaki-cho, Ukyo-ku

Residing at

Kyoto-shi, Kyoto 615 Japan

am the person signing the declaration on the above identified application on behalf of the
omitted inventor and make this declaration as to the facts establishing my proprietary
interest.

II. As of the date I signed the declaration for this application, the proprietary interest in
this invention:
(check one)

- ☐ belonged to me.
- ☒ belonged to the following juristic person:
Rohm Co., Ltd.

Name of company or other juristic person

21, Saiin Mizosaki-cho, Ukyo-ku, Kyoto-shi, Kyoto 615 Japan

Address of company or other juristic person

and I am authorized to sign the declaration on behalf of the juristic person, my title being

(type or print title of declarant in corporation or juristic person)

General Manager, Intellectual Property Division

NOTE: A person with sufficient proprietary interest may authorize any person, including an attorney or agent
registered to practice before the PTO, to sign the application papers on its behalf. Where this happens
proof of this authority in the form of a statement signed by an appropriate official of the corporation
or juristic person must be submitted. MPEP § 409.03(b).

NOTE: An inventor may not authorize another individual to act as his agent to sign the declaration papers (MPEP § 409.03(b)) although he or she can authorize the filing of the application if he or she later makes the declaration (37 CFR 1.41(c)).

III. I establish the proprietary interest by

(check and complete (d), (e) or (f))

NOTE: Documents that are not in the English language should be accompanied by an English translation.

(d) ☒ attaching ^{copies} a copy of the assignment^s of this invention by the omitted inventor.

(e) ☐ attaching a copy of the agreement whereby the omitted inventor agreed to assign this invention.

NOTE: A typical agreement to assign includes the employment agreement whereby the omitted inventor agreed to assign all his inventions to his or her employer. If an agreement to assign is dependent on certain specified conditions being met, it must be established in this declaration that those conditions have been met. MPEP § 409.03(e).

(f) ☐ Although there is no assignment or written agreement to assign, a sufficient proprietary interest is demonstrated by the attached legal memorandum establishing that a court of competent jurisdiction would, by the weight of authority in that jurisdiction, award title in the invention to me or the legal entity on whose behalf I have authority to sign.

NOTE: Where items (e) or (f) are completed, there should be filed a DECLARATION BY PERSON HAVING FIRST HAND KNOWLEDGE THAT OMITTED INVENTOR WAS EMPLOYEE OR OTHERWISE OBLIGATED TO PERSON WITH SUFFICIENT PROPRIETARY INTEREST WHEN INVENTION MADE.

NOTE: If the assignment being submitted is to be recorded, it should be submitted with an ASSIGNMENT (DOCUMENT) COVER SHEET or Form PTO 1595.

IV. ASSIGNEE'S CERTIFICATION

In accordance with 37 CFR 3.73, the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

V. PROOF OF NEED TO PREVENT IRREPARABLE DAMAGE OR PRESERVE THE RIGHTS OF THE PARTIES

NOTE: This proof must be presented where the declaration is signed by a person with sufficient proprietary interest for the omitted inventor (37 CFR 1.47(b)).

Irreparable damage may be established by showing that a filing date is necessary to (1) avoid a statutory bar that should identify the act or publication believed to constitute the bar or (2) make a claim for priority, which should identify the prior application(s) involved.

A diligent effort to prepare the application and obtain the inventor's signature thereon must be made, even if the application is being filed to avoid a bar or to claim priority. MPEP § 409.03(g).

Preservation of the rights of the parties may be demonstrated by a showing that the omitted inventor may reasonably be expected to enter into competition with the person having a proprietary interest and signing on behalf of the omitted inventor or that a firm plan for commercialization of the subject matter of the application has been adopted. MPEP § 409.03(g).

NOTE: This section may be omitted if it is completed in the Declaration of Facts in Support of Filing on Behalf of Omitted Inventor.

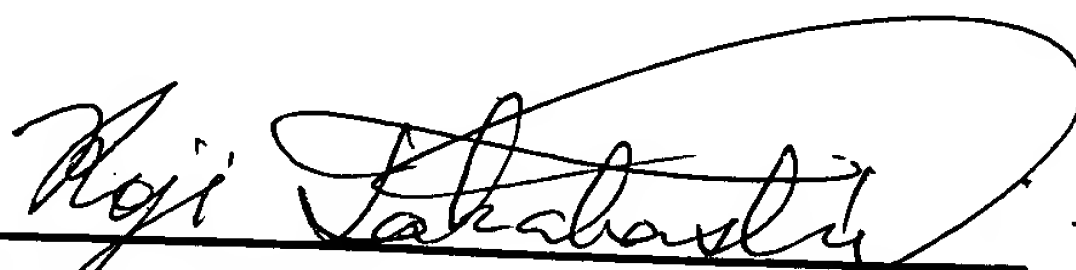
(use Supplemental Page(s) if necessary)

(Declaration Establishing Proprietary Interest by Person Signing on Behalf of Omitted Inventor [1-7]
—page 2 of 3)

Because the inventor refused to sign the declaration, this application was filed without a declaration on December 5, 1997, based on PCT application No. PCT/JP96/01622 filed June 13, 1996, claiming priority of Japanese applications Nos. 7-150605 filed June 16, 1995 and 8-10463 filed January 24, 1996. The application had to be filed by December 16, 1997 in order to maintain the priority of the first Japanese application. In order to maintain the application, a declaration must be filed by June 5, 1998. If the declaration is not filed by that date, the owner of the application will lose its priority rights and will consequently face a statutory bar based on publication of the PCT application on January 3, 1997.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: February 10, 1998


Signature of declarant

Koji Takahashi

☐ Plus _____ added page(s)

発明等届出書 譲渡証書

発明等の名称 非接触通信における電信号供給について

本件の発明、考案、意匠に関し、日本国及び外国において、特許、実用新案登録、意匠登録を受ける権利をローム株式会社（項番 の発明者は 株式会社）に譲渡致します。

	氏 名 (フリガナ)	所 属 部 署	捺 印	比 率
1	亀井 真二	電用LSエ商品開発部 S2 課・G		100 (%)
2		内線 (2105) 部 課・G		
		内線 ()		(%)

※その他の発明者は裏面の発明者氏名欄に記入、捺印して下さい。[その他 名]

発 明 者 所 属 部 署 記 載 欄	発明実施状況	<input checked="" type="checkbox"/> ① 実施中又は実施予定あり			a. 対象製品; BU5007		b. 実施期間;	
		<input type="checkbox"/> ② 開発・試作段階 (a. 企画中 <input checked="" type="checkbox"/> ③ 試作中 c. 評価中 d. 実験中 e. その他 [])			c. 単価; 円		d. 生産量; 千個/月	
		ハ. 着想段階 → 実施見込みあり (対象製品; 予想生産額; 千円/月)						
		ニ. 着想のみ → 実施見込みなし (理由;)						
	出願者	<input checked="" type="checkbox"/> ① 当社単独						
		<input type="checkbox"/> ② 他社との共同出願 (その理由;)						
		a. 共同出願人; 社 名						
		b. 共同発明者; 氏 名 (フリガナ)						
	出願目的	<input checked="" type="checkbox"/> ① 製品保護			<input type="checkbox"/> ② 生産技術保護		ハ. 他社の牽制	
		ニ. その他 ()						
他社実施可能性	a. あり (実施予想企業;)							
	b. なし			<input checked="" type="checkbox"/> ③ 不明				
出願の急迫性	<input checked="" type="checkbox"/> ① 普通							
	<input type="checkbox"/> ② 至急 (理由; a. 社外公表 [1. 顧客先 2. 外注先 3. 展示会出品 4. b. その他 []])							
	(公表予定日; 平成 年 月 日 / 公表方法;)							
外国出願の要否	<input checked="" type="checkbox"/> ① 要 (予定国名と理由; USA, ヨーロッパ各国 製品輸出のため)							
	<input type="checkbox"/> ② 不要			<input type="checkbox"/> ③ 不明				
他社との関連契約の有無	<input checked="" type="checkbox"/> ① なし			<input type="checkbox"/> ② 不明		<input type="checkbox"/> ③ あり (契約会社名;)		
コメント	今後、非接触通信には、欠かせない技術。							

知 的 財 産 部 記 載 欄	出願の要否	<input checked="" type="checkbox"/> ① する 2. しなない → a. 新規性なし b. 公開技報掲載 c. 発明未完成 d. 他の出願へ統合 (統合受付NO) e. ()		
	代理人	石川 (花子) 弁理士 四 法 区 分 a. 特許 b. 実用新案 c. 意匠		
	出願依頼日	平成 7 年 6 月 / 日 原稿納期 平成 7 年 6 月 9 日 請求項の数		
	資料補充の要否	1. 否 2. 要 資料補充日 平成 年 月 日		
	コメント	関連出願あり (特許)		

発 明 者 所 属 部 署

発明者 	係 長 	課 長 	部 長
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知 的 財 産 部

受 付 	担 当 	部 長
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承 認

生産本部長	管理本部長
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注) 黒のボールペンを用いてご記入ください。

Number of receipt in company: 95-00287

Takahashi
June 12, 1995

REPORT AND ASSIGNMENT OF INVENTION, ETC.

Title of the invention	
POWER AND SIGNAL SUPPLY IN NONCONTACT COMMUNICATION	

I (inventor indicated by number assign company) assign Rohm Co., Ltd the right of receiving patent, utility model registration, or design patent registration in Japan and foreign countries with respect to this invention, utility model, or design.

	Name (reading)	Department to which the inventor belongs	seal	ratio
1	Sinji Kamei Sinji Kamei	Specific LSI Product Developing Department S2 Section · G Extension (2105)	Kamei	100 (%)
2		Department Section · G Extension ()		(%)

※ It is requested that other inventors fill in and seal the column of name of inventor on the rear side. [and others]

Column to be recited by person in department to which inventor belongs	State of practice of invention	A. Being put into practice or scheduled to be put into practice	a. Objective product; BU5007	b. Period of practice;
			c. Cost per unit; Yen	d. Amount of production; thousand/month
		B. Stage of development · trial (a. in planning b. in trial c. in evaluation d. in experiment e. other [])		
		C. Stage of idea → There are prospects of practice (objective product; /time of practice; expected amount of production; thousand yen/month)		
	D. Only idea → no prospects of practice (reason;)			
Applicant	A. Only our company			
	B. Co-application with other company (the reason;)			

	a. Co-applicant;		Name of company		
	b. Co-inventor		Name (reading)		
Object of application		A. Protect for product technique B. Protect for production C. Check on other company D. Others			
Possibility of practice by other company		a. Yes (company expected to practice;) b. No c. Unknown			
Degree of emergency of application		A. Normal B. Urgent (reason; a. announcement outside our company [1. at client 2. at outside office 3. exhibition 4.] b. others []) (expected date of announcement; year month day/ method of announcement;)			
Necessity of foreign application		A. Yes (planned countries and reason; USA, European countries, the product is expected to export to those countries) B. No C. Unknown			
Existence of contract with other company		a. No b. Unknown c. Yes (Name of contracted company;)			
Comment		This is an indispensable technique for noncontact communication in future.			
Column to be recited by person in intellectual department	Necessity of application 1. Yes 2. No → a. lack of novelty b. disclosed in publication c. invention is not completed d. combined with other application (combine receipt NO) e. ()				
	Agent	inhouse (Hagimori) attorney	category in four laws	a. Patent b. Utility model c. Design	
	Date of request for application	June 1, 1995	Due date for original document	June 9, 1995	Number of claims
	Necessi-	1. No	Date of	year month	

	ty of supple- mental material	2. Yes	supplement of material	day	
	Comment	There is a related application. (Ikefuji)			

Department to which inventor belongs				Intellectual department			Accepted	
Inven- tor →	Chi- ef →	Head →	Mana- ger	Recei- pt →	Charge →	Mana- ger	General Manager of Prduct- ion	General Manager of Manage- ment
Kamei March 16, 1995		Ikefu- ji March 22, 1995	Mochi- da March 22, 1995	Intel- lectu- al depar- tment April 5, 1995	Hagi- mori 1995	Taka- hashi June 12, 1995		

Note) Please fill in this sheet with a black ball pen.

Rohm Co., Ltd.

社内受付番号: 95-00749



発明等届出書兼譲渡証書

発明等の名称	リングOSC 発振周波数 安定回路
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本件の発明、考案、意匠に関し、日本国及び外国において、特許、実用新案登録、意匠登録を受ける権利をローム株式会社（項番 の発明者は 株式会社）に譲渡致します。

	氏 名 (フリガナ)	所 属 部 署	捺 印	比 率
1	カメイ シンジ 亀井 直二	LSI商品開発部 C2 課・G コミュニケーション (890668) 内線 (2105)		100 (%)
2		部 課・G 内線 ()		(%)

※その他の発明者は裏面の発明者氏名欄に記入、捺印して下さい。[その他 名]

発 明 者 所 属 部 署 記 載 欄	発 明 実 施 状 況	①. 実施中又は実施予定あり		a. 対象製品; BR5004	b. 実施期間; 1回
				c. 単価; ー 円	d. 生産量; 1千個/月
		□. 開発・試作段階 (a. 企画中 b. 試作中 c. 評価中 d. 実験中 e. その他 [])			
		ハ. 着想段階 → 実施見込みあり (対象製品; / 実施時期; 千円/月)			
		ニ. 着想のみ → 実施見込みなし (理由;)			
	出 願 者	①. 当社単独			
		□. 他社との共同出願 (その理由;)			
		a. 共同出願人;	社 名		
		b. 共同発明者;	氏 名 (フリガナ)		
	出 願 目 的	イ. 製品保護 □. 生産技術保護 ハ. 他社の牽制 ニ. その他 ()			
他 社 実 施 可 能 性	a. あり (実施予想企業;) ①. なし c. 不明				
出 願 急 迫 の 度	①. 普通 □. 至急 (理由; a. 社外公表 [1. 顧客先 2. 外注先 3. 展示会出品 4.] b. その他 []) (公表予定日; 平成 年 月 日 / 公表方法;)				
外 国 出 願 の 要 否	①. 要 (予定国名と理由; USA) □. 不要 ハ. 不明				
他 社 と の 関 連 契 約 の 有 無	①. なし b. 不明 c. あり (契約会社名;)				
コ メ ン ト	VDD電圧変化が多い。RF-TAGも、EEPROMの信頼性を高めるため には、非常に重要な技術 又、リングOSCを内蔵する全てのLSIに共通して使える技術。				
知 的 財 産 部 記 載 欄	出 願 の 要 否	①. する 2. しない → a. 新規性なし b. 公開技術掲載 c. 発明未完成 d. 他の出願へ統合 (統合受付NO) e. ()			
	代 理 人	石川 (英三) 弁理士	四 法 区 分	①. 特許 b. 実用新案 c. 意匠	
	出 願 依 頼 日	平成 8 年 / 月 2 日	原 稿 納 期	平成 8 年 / 月 2 日 請求項の数	
	資 料 補 充 の 要 否	①. 否 2. 要 資料補充日 平成 年 月 日			
	コ メ ン ト	類似出願 No. 150127.			

発 明 者 所 属 部 署			
発明者	係 長	課 長	部 長

知 的 財 産 部		
受 付	担 当	部 長

承 認	
生産本部長	管理本部長

注) 黒のボールペンを用いてご記入ください。

Number of receipt in company: 95-00749

Takahashi
January 18, 1996

REPORT AND ASSIGNMENT OF INVENTION, ETC.

Title of the invention	
STABILIZING CIRCUIT FOR OSCILLATION FREQUENCY OF RING OSCILLATOR	

I (inventor indicated by number assign company) assign Rohm Co., Ltd the right of receiving patent, utility model registration, or design patent registration in Japan and foreign countries with respect to this invention, utility model, or design.

	Name (reading)	Department to which the inventor belongs	seal	ratio
1	Sinji Kamei ----- Sinji Kamei 893668	LSI Product Developing Department C2 Section · G communication (893668) Extension (2105)	Kamei December 11, 1995	100 (%)
2	-----	Department Section · G Extension ()		(%)

※ It is requested that other inventors fill in and seal the column of name of inventor on the rear side. [and others]

Column to be recited by person in department to which inventor belongs	State of practice of invention	A. Being put into practice or scheduled to be put into practice	a. Objective product; BR5004	b. Period of practice; 1 year
			c. Cost per unit; Yen	d. Amount of production; thousand/month
			B. Stage of development · trial (a. in planning b. in trial c. in evaluation d. in experiment e. other [])	
			C. Stage of idea → There are prospects of practice (objective product; /time of practice; expected amount of production; thousand yen/month)	
			D. Only idea → no prospects of practice (reason;)	
	Applicant	A. Only our company		

	Necessity of supplemental material	1. No 2. Yes	Date of supplement of material	year month day	
	Comment	There is a related application H02-150127.			

Department to which inventor belongs				Intellectual department			Accepted	
Inventor → Kamei December 11, 1995	Chief →	Head → Ikefuji December 12, 1995	Manager Aoyagi December 15, 1995	Receipt → Intellectual department December 18, 1995	Charge → Hagimori 1996	Manager Takahashi January 18, 1996	General Manager of Production	General Manager of Management

Note) Please fill in this sheet with a black ball pen.

Rohm Co., Ltd.

Practitioner's Docket No. _____

31425 PCT/USA

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Shinji Kamei

SEMICONDUCTOR DEVICE, IC CARD UTILIZING THE SAME
AND COMMUNICATION SYSTEM

the specification of which:

(check and complete (a), (b) or (c))

- (a) ☐ is attached hereto.
- (b) ☒ was filed on December 5, 1997, as Application Serial No. 08 / 973,564
and was amended on _____ (if applicable).
- (c) ☐ was described and claimed in International Application No. _____
filed on _____ and as amended on _____ (if any).

**DECLARATION OF FACTS IN SUPPORT OF FILING
ON BEHALF OF OMITTED INVENTOR (37 CFR 1.47)**

NOTE: This declaration as to the pertinent facts concerning the refusal of the omitted inventor to join in the application or where the omitted inventor cannot be found or reached must accompany the declaration signed on behalf of the omitted inventor by a joint inventor or by a legal representative who shows a proprietary interest. Where the entity with a proprietary interest executes the declaration on behalf of the omitted inventor there must also be a showing that such action is necessary to preserve the rights of the parties or to prevent irreparable damage. 37 CFR 1.47.

This declaration is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the omitted inventor for the above-identified patent application before deposit thereof in the Patent and Trademark Office.

(check next item, if applicable)

- ☒ Because signing on behalf of the omitted inventor is by a person or entity showing a sufficient proprietary interest, this declaration also recites facts as to why this action was necessary to preserve the rights of the parties or to prevent irreparable damage.

This declaration is being made by the available person having first-hand knowledge of the facts recited therein.

NOTE: The "declaration must be signed, where at all possible, by a person having first-hand knowledge of the facts recited therein." MPEP § 409.03(d). If different persons have first-hand knowledge of different facts, then a declaration from each such person as to those facts he or she knows should be submitted separately.

(Declaration of Facts in Support of Filing on Behalf of Omitted Inventor [1-6] page 1 of 8)

IDENTIFICATION OF PERSON MAKING THIS DECLARATION OF FACTS

Haruo Hagimori

Name of declarant

c/o Rohm Co., Ltd.

Address of declarant

21, Saiin Mizosaki-cho, Ukyo-ku, Kyoto-shi, Kyoto 615 Japan

I am Senior Staff of the Intellectual Property Division of Rohm Co., Ltd. and have had the responsibility to obtain a signed declaration from the inventor, Mr. Shinji Kamei, in connection with the above-identified application.

(Declaration of Facts in Support of Filing on Behalf of Omitted Inventor [1-6]—page 2 of 8)

**EFFORTS DURING CONVENTION YEAR TO PREPARE APPLICATION AND
OBTAIN INVENTOR'S SIGNATURE**

NOTE: *In cases where priority is to be claimed, the reason(s) for any decision to delay the preparation for filing in the U.S. and obtaining the inventor's signature until the end of the convention year, such as (a) time to decide on commercial value (b) waiting to determine what art would be cited in corresponding prior filing, etc. should be indicated. MPEP § 409.03(d).*

This application was due to be filed by December 16, 1997, based on the PCT requirements. On August 2, 1997, I wrote to the inventor Mr. Kamei, who is no longer employed by Rohm Co., Ltd., asking him to sign the application and return it to me. Having received no response to my letter of August 2, 1997, I wrote again to Mr. Kamei on October 3, 1997, asking him to sign the application and return it. Attached hereto are copies of my letters along with English translations.

Since I had not received any response from Mr. Kamei, I searched for his telephone number and called him on December 12, 1997. He was not at home but I left a message. Mr. Kamei returned my telephone call on December 15, 1997. In that telephone conversation, Mr. Kamei stated that he refused to sign the application.

(use Supplemental Page(s), if necessary)

亀井 真二 様

平成 9 年 8 月 2 日

ローム株式会社 知的財産部

TEL : 075-311-2121(代)

担当 : 萩森 春雄

米国出願に関するお願い

拝啓、いかがお過ごしでしょうか。

早速ですが、貴殿が弊社在籍時に外国出願（PCT）しました下記発明（別紙参照）を各国へ移行する段階になり、手続き上、同封の書面に貴殿のサインが必要となりますので、ご協力をお願い致します。

尚、本件は単に各国出願における手続き上の問題（発明者であることの宣誓等）ですので、貴殿及び現在のご職場にご迷惑をかけるものではありません。

お忙しい毎日の中お手間を取らせることになると思いますが、添付のサイン書類の所定の場所（3カ所）にサインを記入の上、同封の封筒にてサイン書類のみを9月8日迄に返送して戴きますようお願い致します。もし、疑問や修正事項等がございましたら遠慮なく電話連絡していただいて結構です。

敬具

記

出願番号 : PCT / JP 96 / 01622

表題 : 非接触型 IC カード及びこれを利用した情報交換システム

以上

To: Shinji kamei

August 2, 1997

Rohm Co., Ltd.
Intellectual Property Division
Tel: 075-311-2121
Person in charge: Haruo Hagimori

Request with respect to US Patent Application

Dear Mr. Kamei:

For proceeding in designated countries of the PCT application mentioned below (see Attachment), which was filed while you were employed in our company, we need your signature in forms enclosed here with. Accordingly, we would appreciate your cooperation.

Since this is merely a matter as to proceedings in the designated countries (declaration as an inventor, and the like), this is not make you and your present business trouble.

Although we understand that this request takes your precious time, could you sign the attached forms at the predetermined places (three places) and return only the signed forms by using the enclosed envelope until September 8. If your have any question or request for correction, please freely contact us by phone.

Very truly yours,

Subject

Application No. : PCT/JP 96/01622
Title : NONCONTACT IC CARD AND INFORMATION COMMUNICATION
SYSTEM USING THE SAME

That's all.

亀井 真二 様

平成 9 年 1 0 月 3 1 日

ローム株式会社 知的財産部

TEL : 075-311-2121(代)

担当 : 萩森 春雄

米国出願に関するお願い No. 2

拝啓、いかがお過ごしでしょうか。

早速ですが、別紙のお願いを平成9年8月2日付けで送付させていただきましたが、未だにサイン書類を返送していただけてないと思います。

本件は提出の期限が迫っておりますので、至急サイン書類の返送をお願い致します。尚、サイン書類が不明な場合にはその由ご連絡をお願い致します。

敬具

To: Shinji kamei

October 31, 1997

Rohm Co., Ltd.
Intellectual Property Division
Tel: 075-311-2121
Person in charge: Haruo Hagimori

Dear. Mr. kamei:

With respect to our letter of August 2, 1997 requesting your signature, we are afraid that we have not received the signed forms.

Since the due date of filing the signed forms is coming soon, we would like to have your signed forms as soon as possible. If you have any question as to the forms to be signed, please freely contact us.

Very truly yours,

LAST KNOWN ADDRESS OF THE OMITTED INVENTOR

NOTE: The last known address of the omitted inventor must be stated so that the PTO can forward the notice of filing of the application to the omitted inventor at said address. (37 CFR 1.47).

Shinji Kamei

Full name of omitted inventor

3-27 Ohe 2-chome, Otsu-shi

Last known address of omitted inventor

Shiga, Japan 520-21

NOTE: Ordinarily, the last known address will be the last known address of the omitted inventor, but other addresses at which the omitted inventor may be reached should also be given in the space below. MPEP § 409.03(e).

(Declaration of Facts in Support of Filing on Behalf of Omitted Inventor [1-6]—page 4 of 8)

**DETAILS OF REFUSAL OF OMITTED INVENTOR
TO SIGN APPLICATION PAPERS**

NOTE: Complete either these facts or the facts as to *DETAILS OF EFFORTS TO REACH OMITTED INVENTOR*.

NOTE: The circumstances of this refusal must be specified by the person to whom the refusal was made and, before a refusal can be alleged, it must be demonstrated that a bona fide attempt was made to present a copy of the application papers (specification, including claims, drawings and declaration) to the omitted inventor for signature. The time and place of an oral refusal should be stated, or a copy of the written refusal should be attached.

If it is the conduct as a whole of the omitted inventor that is the refusal, then all the facts upon which this conclusion is based should be stated and a copy of any documentary evidence supporting these facts should be attached.

Whenever the omitted inventor gives a reason for refusing to sign the application papers, that reason should be stated. MPEP § 409.03(d).

As described above, Mr. Kamei refused to sign the application during a telephone conversation I had with him on December 15, 1997. At that time, he was at his residence in Shiga and I was in my office in Kyoto. Mr. Kamei gave no reason for his refusal to sign the application.

(use Supplemental Page(s), if necessary)

(Declaration of Facts in Support of Filing on Behalf of Omitted Inventor [1-6]—page 6 of 8)

**PROOF OF NEED TO PREVENT IRREPARABLE DAMAGE
OR PRESERVE THE RIGHTS OF THE PARTIES**

NOTE: *This proof must be presented where the declaration is signed by a person with sufficient proprietary interest for the omitted inventor (37 CFR 1.47(b)), but is not a requirement when the person signing for the omitted inventor is a joint inventor. (37 CFR 1.47(a)).*

A diligent effort to prepare the application and obtain the inventor's signature thereon must be made, even if the application is being filed to avoid a bar or to claim priority. MPEP § 409.03(g).

Irreparable damage may be established by showing that a filing date is necessary to (1) avoid a statutory bar that should identify the act of publication believed to constitute the bar or (2) make a claim for priority, which should identify the prior application(s) involved.

Preservation of the rights of the parties may be demonstrated by a showing that the omitted inventor may reasonably be expected to enter into competition with the person having a proprietary interest and signing on behalf of the omitted inventor or that a firm plan for commercialization of the subject matter of the application has been adopted. MPEP § 409.03(g).

This application is based on PCT application No. PCT/JP96/01622 filed June 13, 1996 and had to be filed by December 16, 1997, according to the PCT requirements in order to claim the priority of two Japanese applications Nos. 7-150605 filed June 16, 1995 and 8-10463 filed January 24, 1996. The PCT application was published on January 3, 1997. If a declaration is not timely filed in this application, the applicant will lose the priority rights based on the Japanese applications and will face a statutory bar because of the publication of the PCT application.

(If this proof is not needed and not being presented, then draw a line through this page of the form.)

(use Supplemental Page(s), if necessary)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: February 10, 1998

Haruo Hagimori
Signature of declarant

Haruo Hagimori
Senior Staff
Intellectual Property Department
Rohm Co., Ltd.

☐ Plus _____ Added Page(s)

(Declaration of Facts in Support of Filing on Behalf of Omitted Inventor [1-6]—page 8 of 8)

**COMBINED DECLARATION
AND POWER OF ATTORNEY**

#3



(Original, Design, National Stage of PCT or CIP Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SEMICONDUCTOR DEVICE, IC CARD UTILIZING THE SAME AND COMMUNICATION SYSTEM
the specification of which: *(complete (a), (b) or (c) for type of application)*

Regular or Design Application

(a) ☐ is attached hereto.

(b) ☒ was filed on December 5, 1997 as Application Serial No. 08/973,564 and was amended on *(if applicable)*.

PCT Filed Application Entering National Stage

(c) ☐ was described and claimed in International Application No. filed on and as amended on *(if applicable)*.

Acknowledgment of Review of Papers and Duty of Candor

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the subject matter claimed in this application in accordance with Title 37, Code of Federal Regulations § 1.56.

☐ In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

Priority Claim

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed

(complete (d) or (e))

(d) ☐ no such applications have been filed.

(e) ☒ such applications have been filed as follows:

PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION				
COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
Japan	PCT/JP96/01622	13 JUNE 1996		<input checked="" type="checkbox"/> YES NO <input type="checkbox"/>
Japan	HEI.7-150605 ✓	16 JUNE 1995		<input checked="" type="checkbox"/> YES NO <input type="checkbox"/>
Japan	HEI.8-010463	24 JANUARY 1996		<input checked="" type="checkbox"/> YES NO <input type="checkbox"/>
ALL FOREIGN APPLICATION[S], IF ANY, FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION				
				<input type="checkbox"/> YES NO <input type="checkbox"/>
				<input type="checkbox"/> YES NO <input type="checkbox"/>
				<input type="checkbox"/> YES NO <input type="checkbox"/>

Claim for Benefit of Prior U.S. Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date

Continuation-In-Part

(complete this part only if this is a continuation-in-part application)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
--------------------------	---------------	---

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
--------------------------	---------------	---

Power of Attorney

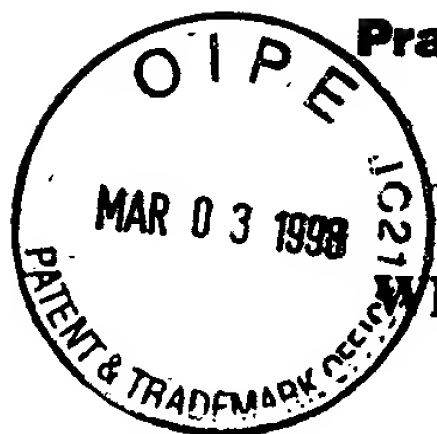
As a named inventor, I hereby appoint Dana M. Raymond, Reg. No. 18,540; Frederick C. Carver, Reg. No. 17,021; Francis J. Hone, Reg. No. 18,662; Joseph D. Garon, Reg. No. 20,420; Arthur S. Tenser, Reg. No. 18,839; Ronald B. Hildreth, Reg. No. 19,498; Thomas R. Nesbitt, Jr., Reg. No. 22,075; Robert Neuner, Reg. No. 24,316; Richard G. Berkley, Reg. No. 25,465; Richard S. Clark, Reg. No. 26,154; Bradley B. Geist, Reg. No. 27,551; James J. Maune, Reg. No. 26,946; John D. Murnane, Reg. No. 29,836; Henry Tang, Reg. No. 29,705; Robert C. Scheinfeld, Reg. No. 31,300, John A. Fogarty, Jr., Reg. No. 22,348, Louis S. Sorell, Reg. No. 32,439 and Rochelle K. Seide Reg. No. 32,300 of the firm of BAKER & BOTTS, L.L.P., with offices at 30 Rockefeller Plaza, New York, New York 10112, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

SEND CORRESPONDENCE TO: BAKER & BOTTS, L.L.P. 30 ROCKEFELLER PLAZA, NEW YORK, N.Y. 10112	DIRECT TELEPHONE CALLS TO: BAKER & BOTTS, L.L.P. (212) 705-5000
---	--

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR	LAST NAME <u>KAMEI</u>	FIRST NAME <u>SHINJI</u>	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY <u>Shiga</u> <u>JPX</u>	STATE or FOREIGN COUNTRY <u>JAPAN</u>	COUNTRY OF CITIZENSHIP <u>JAPAN</u>
POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>3-27, Ohe 2-chome, Otsu-shi</u>	CITY <u>Shiga 520-21</u>	STATE or COUNTRY <u>JAPAN</u>
DATE	SIGNATURE OF INVENTOR <u>[omitted inventor - completed on added pages]</u>	ZIP CODE	

3

Practitioner's Docket No. 31425 PCT/USA

**ADDED PAGES TO COMBINED DECLARATION
AND POWER OF ATTORNEY FOR SIGNATURE BY PERSON
WITH SUFFICIENT PROPRIETARY INTEREST ON BEHALF OF OMITTED
INVENTOR(S) WHO REFUSE(S) TO SIGN OR CANNOT BE REACHED
(37 CFR 1.47(b))**

I, Koji Takahashi
(type or print name of person (entity) with sufficient proprietary interest or authorized to act on behalf of such person (entity))
hereby declare that:

I. I am a citizen of Japan
residing at c/o Rohm Co., Ltd.
21, Saiin Mizosaki-cho, Ukyo-ku, Kyoto-shi, Kyoto 615 Japan

II. I

- ☐ am a person with sufficient proprietary interest.
☒ am authorized by the following person or juristic entity with sufficient proprietary interest,

(complete the following information, if applicable):

Rohm Co., Ltd.

Name of assignee or entity having sufficient proprietary interest

21, Saiin Mizosaki-cho, Ukyo-ku, Kyoto-shi, Kyoto 615, Japan

Address of assignee or entity having sufficient proprietary interest

General Manager, Intellectual Property Division

Title of person executing this declaration and authorized to sign on behalf of assignee or entity having sufficient proprietary interest

III. By virtue of this proprietary interest, I sign this declaration on behalf of, and as agent for:

Full name of (first, second, etc.) Sole
omitted inventor Shinji Kamei
who

- ☒ refuses to sign.
☐ cannot be found or reached.

NOTE: The name of the omitted inventor(s) should preferably also be inserted at the appropriate prior space in the declaration, adding the words "omitted inventor-completed on added page."

Japan

Country of Citizenship of omitted inventor

3-27, Ohe 2-chome, Otsu-shi

Last known address of omitted inventor

Shiga 520-21, Japan

NOTE: Ordinarily, the last known address will be the last known residence of the omitted inventor(s). Other addresses at which the omitted inventor(s) may be reached should also be given (and these can best be given in the Declaration of Facts In Support of Filing on Behalf of Omitted Inventor). MPEP § 409.03(e).

IV. Upon information and belief, I aver those facts that the inventor is required to state.
37 CFR 1.64(b).

V. Accompanying this declaration is:

(1) A DECLARATION OF FACTS IN SUPPORT OF FILING ON BEHALF OF OMITTED INVENTOR,

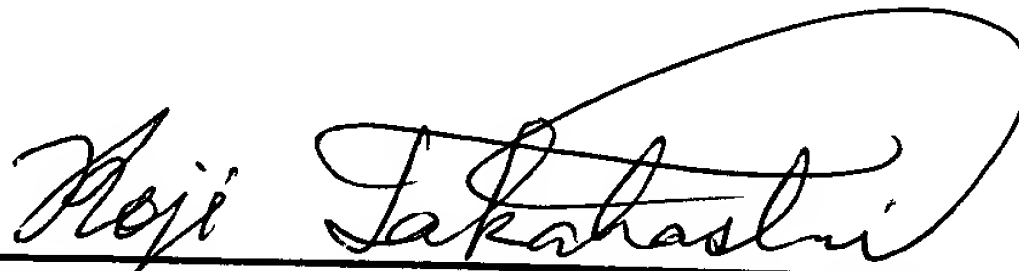
(2) A DECLARATION BY PERSON SIGNING ON BEHALF OF OMITTED INVENTOR ESTABLISHING PROPRIETARY INTEREST,

to establish the proof of pertinent facts, and to show that such action is necessary to preserve the rights of the parties or to prevent irreparable damage, and

NOTE: Proof that such action is necessary to preserve the right of the parties or prevent irreparable damage may be made in either one of the above declarations by person having first-hand knowledge.

(3) the petition fee of \$130.00. (37 C.F.R. 1.17(h))

Date: February 10, 1998



Signature of person with sufficient proprietary interest or authorized to act on behalf of such person or entity

Koji Takahashi

General Manager

Intellectual Property Division

Rohm Co., Ltd.

(Added Page to Combined Declaration and Power of Attorney for Signature by Person with Sufficient Proprietary Interest on Behalf of Omitted Inventor(s) Who Refuse(s) to Sign or Cannot Be Reached [1-5]—
page 2 of 2)

整理番号 = 9 5 - 0 0 7 4 9

特願平08-010463

(1)

【書類名】 特許願

【整理番号】 9 5 - 0 0 7 4 9

【提出日】 平成 8 年 1 月 2 4 日

【あて先】 特許庁長官殿

【国際特許分類】 H 0 3 B 5 / 2 4

【発明の名称】 半導体装置及びこれを用いた I C カード装置

【請求項の数】 2

【発明者】

【住所又は居所】 京都市右京区西院溝崎町 2 1 番地 ローム株式会社内

【氏名】 亀井 真二

【特許出願人】

【識別番号】 0 0 0 1 1 6 0 2 4

【氏名又は名称】 ローム株式会社

【代表者】 佐藤 研一郎

【手数料の表示】

【予納台帳番号】 0 3 2 2 2 9

【納付金額】 2 1 0 0 0

【提出物件の目録】

【物件名】 明細書 1

【物件名】 図面 1

【物件名】 要約書 1

Exhibit 1

Reference No. 95-00749

Patent Application No. 08-010463

[Document Name] Patent Application

[Reference No.] 95-00749

[Date of Filing] January 24, 1996

[Addressee] Comissioner, Patent Office:

[International Patent Classification] H03B 5/24

[Title of the Invention] SEMICONDUCTOR DEVICE AND
IC CARD APPRATUS USING THE SAME

[Number of Claims] 2

[Inventor]

[Address or Residence] c/o Rohm Co., Ltd.,
21, Saiin Mizosaki-cho, Ukyo-ku,
Kyoto-shi, Kyoto, Japan

[Name] Shinji Kamei

[Applicant for Patent]

[Identification No.] 000116024

[Name or Appellation] ROHM CO., LTD.

[Representative] Kenichiro Sato

[Indication of Fee]

[Deposit Account Book No.] 032229

[Amount] 21,000 yen

[List of Filed Documents]

[Filed Document Name] Specification 1

[Filed Document Name] Drawings 1

[Filed Document Name] Abstract 1

受領書

95-00287

平成 7年 6月16日

特許庁長官

識別番号

000116024

氏名 (名称)

ローム株式会社

殿

提出日

平成 7年 6月16日

以下の書類を受領しました。

項番	書類名	整理番号	受付番号	出願番号通知 (事件の表示)
1	特許願	95-00287	59500257054	特願平 7-150605
2	特許願	95-00292	59500257056	特願平 7-150606
3	特許願	95-00340	59500257058	特願平 7-150607

以上

Exhibit 2

OFFICIAL RECEIPT

June 16, 1995

Comissioner, Patent Office

Identification Number 000116024
Name ROHM CO., LTD.
Date of Filing June 16, 1995

We have accepted the following documents.

No.	Name of Document	Reference No.	Reception No.	Application No.
1	Patent Application	95-00287 ✓	59500257054	07-150605
2	Patent Application	95-00292	59500257056	07-150606
3	Patent Application	95-00340	59500257058	07-150607

That's all.

整理番号 = 9 5 - 0 0 2 8 7

(1)

【書類名】	特許願
【整理番号】	9 5 - 0 0 2 8 7
【提出日】	平成 7 年 6 月 1 6 日
【あて先】	特許庁長官殿
【国際特許分類】	B 4 2 D 1 5 / 1 0 G 1 1 C 7 / 0 0
【発明の名称】	非接触型 I C カード及びこれを利用した情報交換システム
【請求項の数】	3
【発明者】	
【住所又は居所】	京都市右京区西院溝崎町 2 1 番地 ローム株式会社内
【氏名】	亀井 真二
【特許出願人】	
【識別番号】	0 0 0 1 1 6 0 2 4
【氏名又は名称】	ローム株式会社
【代表者】	佐藤 研一郎
【手数料の表示】	
【納付方法】	予納
【予納台帳番号】	0 3 2 2 2 9
【納付金額】	2 1 0 0 0
【提出物件の目録】	
【物件名】	明細書 1
【物件名】	図面 1
【物件名】	要約書 1

Exhibit 3

Reference No. 95-00287

[Document Name] Patent Application

[Reference No.] 95-00287

[Date of Filing] June 16, 1995

[Addressee] Comissioner, Patent Office:

[International Patent Classification] B42D 15/10
G11C 7/00

[Title of the Invention] NON-CONTACT TYPE IC CARD AND
INFORMATION COMMUNICATION SYSTEM
USING THE SAME

[Number of Claims] 3

[Inventor]

[Address or Residence] c/o Rohm Co., Ltd.,
21, Saiin Mizosaki-cho, Ukyo-ku,
Kyoto-shi, Kyoto, Japan

[Name] Shinji Kamei

[Applicant for Patent]

[Identification No.] 000116024

[Name or Appellation] ROHM CO., LTD.

[Representative] Kenichiro Sato

[Indication of Fee]

[Way of Payment] Prepayment

[Deposit Account Book No.] 032229

[Amount] 21,000 yen

Exhibit 3

[List of Filed Documents]

[Filed Document Name]	Specification	1
[Filed Document Name]	Drawings	1
[Filed Document Name]	Abstract	1